

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

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DUSTIN METCALF,

Petitioner,

v.

JOE M. ALLBAUGH, DOC Director,

Respondent.

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Case No. CIV-15-076-RAW-KEW

**ORDER**

On February 7, 2017, the United States Magistrate Judge filed a Report and Recommendation, recommending that this action (commenced by the Petitioner Dustin Metcalf's filing of a Petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254) be in all respects dismissed. Petitioner filed a notice stating that he received the Report and Recommendation on February 13, 2017 and understood that any objections to the same were due within 14 days from the date of receipt. No objection has been filed.

After a *de novo* review, and construing Petitioner's *pro se* filings liberally, the court finds that the Magistrate Judge's Report and Recommendation is well-supported by the evidence and the prevailing legal authority. Accordingly, the Report and Recommendation of the Magistrate Judge is hereby AFFIRMED and ADOPTED as this court's Findings and Order. Petitioner's petition pursuant to 28 U.S.C. § 2254 is hereby DISMISSED.

**IT IS SO ORDERED** this 3rd day of March, 2017.



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**THE HONORABLE RONALD A. WHITE  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF OKLAHOMA**